

IN THE MUNICIPAL COURT OF DIAMONDHEAD, MISSISSIPPI

STANDING ORDER

The City of Diamondhead, Mississippi, and all of its officers, employees, and agents will not utilize a secured bail schedule for persons in the custody of the City on arrest, either without a warrant or on the initial warrant issued, for any violation that may be prosecuted in the Municipal Court of the City of Diamondhead, Mississippi.<sup>1</sup>

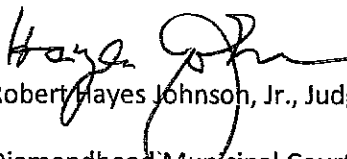
The City of Diamondhead, Mississippi, and all of its officers, employees, and agents will offer every person in the custody of the City on arrest, either without a warrant or on the initial warrant, for any violation that may be prosecuted in the Municipal Court of the City of Diamondhead, Mississippi, release from the custody of the City upon execution of a Signature Bond or Personal Recognizance Bond as soon as practicable after booking. The only exceptions to this provision are: 1) such persons as are brought for hearing before the court within forty-eight (48) hours of arrest for potential imposition of conditions for release other than the posting of money bond in cases involving assaultive or threatening conduct, domestic violence, driving under the influence, or for determination of conditions to prevent danger to a victim, the community or any other person under applicable constitutional standards; or 2) such persons who are subject to a specific order issued by this Court. Hearings described herein may be telephonic.

The City of Diamondhead, Mississippi, and any City agent will utilize the form drafted by the Diamondhead Municipal Court (or its material equivalent) attached hereto as Exhibit A, as well as comply with the procedures set forth herein, including the procedures to be followed if a person violates the terms of his/her recognizance bond.

The City of Diamondhead, Mississippi, shall notify all arrestees in writing upon release of the time, date, and place at which they are required to appear in court, if any.

The City of Diamondhead, Mississippi, shall not jail any person for non-payment of any monetary sum from fines, costs, fees or bond revocations unless the constitutional procedures set forth in *Bearden v. Georgia*, 461 U.S. 66, 672-73 (1983); and *Turner v. Rogers*, 131 S. Ct. 2507, 2519 (2011), have been met.

This the 27<sup>th</sup> Day of July, 2016.

  
Robert Hayes Johnson, Jr., Judge  
Diamondhead Municipal Court



<sup>1</sup> For purposes of this Standing Order, the term "secured" means a monetary sum that must be paid or posted as a precondition of release from custody. The term "recognizance" means a person's release upon their promise to appear in court at a later date.



*Office of the City Clerk*  
*7/27/16*  
*Cassie Klein*

**IN THE MUNICIPAL COURT OF DIAMONDHEAD, MISSISSIPPI**

**CONDITIONS OF SIGNATURE/RECOGNIZANCE BOND(S)**

Name of Defendant: \_\_\_\_\_ Case No(s): \_\_\_\_\_

You have been arrested for the following alleged offense(s): \_\_\_\_\_  
\_\_\_\_\_

**You are being released on your promise to comply with the following conditions:**

1. You must appear before the Municipal Court of Diamondhead, Mississippi, 5000 Diamondhead Circle, Diamondhead Mississippi, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at 1:00 P.M. You must also appear before the Municipal Court of Diamondhead, Mississippi, as ordered by the Court for any subsequent hearings.
2. If you were arrested for Simple Assault, a Domestic Violence charge, or Trespassing, you shall have NO CONTACT with the alleged victim(s). This means that you must STAY AWAY from the alleged victim(s). It also means that you must not call, text, e-mail or otherwise contact the alleged victim(s), including through any third party.
3. You must STAY AWAY from any place of business where you were arrested for shoplifting or any other crime.
4. You must sign the Acknowledgment of Bond Conditions below.

**Your failure to follow the conditions set forth above, or your refusal to sign the Acknowledgment of Bond Conditions below, may result in your arrest and temporary detention. Within 48 hours of being detained for an alleged failure to comply with the conditions set forth above, or to sign the Acknowledgment, you shall be offered an opportunity to rebut the allegations or to demonstrate good cause for your non-compliance at a hearing before the Municipal Court. If no hearing is held within 48 hours of your detention, you shall be released with instructions to appear before the Municipal Court on a specified date. Hearings described herein may be telephonic.**

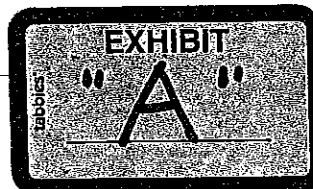
**If the Municipal Court finds by a preponderance of the evidence that you willfully violated one or more of the conditions set forth above, without good cause, your bond may be revoked and you may be incarcerated until your case reaches disposition.**

**Acknowledgment of Bond Conditions**

I, \_\_\_\_\_, the Defendant, hereby acknowledge that the conditions set forth above have been explained to me and I agree to abide by them. I understand that any violation of the conditions set forth above may result in my recognizance bond being revoked and my incarceration until the next court date following my arrest.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ADDRESS



\_\_\_\_\_  
DATE

\_\_\_\_\_  
TELEPHONE NUMBER